



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR STEPHEN WOODS

MINUTES

NEWINGTON TOWN COUNCIL
Conference Room L-101 Lower Level – Town Hall
7:00 P.M.

May 28, 2013

The meeting was called to order by Mayor Woods at 7:00 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

Councilor Borjeson
Councilor Bottalico
Councilor Castelle
Councilor Cohen
Councilor DelBuono
Councilor Klett
Councilor McBride - absent
Councilor Nagel
Mayor Woods

Staff Attendees:

John Salomone, Town Manager
Jaime Trevethan, Executive Assistant

III. PUBLIC PARTICIPATION

Joe Cirigliano, 56 Brentwood Road: Mr. Cirigliano stated that he is a resident, Town employee, AFSCME Local 2930 President and AFSCME Council 4 Vice President. He stated that he is representing the 175 unionized Town and Board of Education employees that provide valuable services to the residents. He stated that unionized employees include bus drivers, clerical, cafeteria, custodians, library, engineering, maintenance and parks employees and that all employees are professionals who take pride in their work. Mr. Cirigliano stated that the union has reached an impasse with the Town over the current collective bargaining agreement negotiations; however this is not by the union's choice. He indicated that the Town negotiating team has rejected remediation, which is free of charge, and will rather go to arbitration, which will cost the taxpayers. He stated that he will speak more about how union employees save money and will also speak more about waste and inefficiencies in future meetings. Mr. Cirigliano stated that every department has been cut to minimum staff and is doing more with less. He expressed that while the union has always worked with the Town to get the job done and will do so in the future, this current situation does not help anyone. He asked for the Council's help to reach a just and fair agreement.

Brian Giantonio, 124 Barn Hill Lane: Mr. Giantonio acknowledged that all Councilors work very hard for the community, but expressed concern about some of certain Council members' actions. He noted that in his past public service he has always apologized and sought to work with former Mayors whenever there had been a difference of opinion. Mr. Giantonio stated that he took exception to Mayor Woods' comment in a recent Hartford Courant article that "it is her way or the highway" (regarding

Councilor Klett). He noted several Councilors who have changed parties in the past and remarked that it is never a decision made lightly. Mr. Giantonio stated that Councilor Klett works very hard to make sure she hears everybody's opinion and he requested that the Mayor apologize to Councilor Klett over his remark. He stated that she never stops when making sure she is after the right thing, whether it is at the federal, local or state level and said that disagreeing does not mean "my way or the highway". He asked the Council to put differences aside and to focus on good government and leadership.

Rose Lyons, 46 Elton Drive: Ms. Lyons stated that while she has never served on an elected position, she has observed the Council for the past 4-5 years. She stated that since last November, when Mr. DelBuono spoke to the Council and insinuated that the Mayor was unethical, there has been nothing but arrows flying back and forth between both parties. She stated that this has been one of the worst years she has ever seen in regards to personal agendas around the table. She asked the Council to get back to business.

IV. REMARKS BY COUNCILORS - none

V. CONSIDERATION OF OLD BUSINESS

A. Year-End Transfers

Councilor Bottalico inquired about a \$39,500 transfer in the Fire Department. Town Manager Salomone replied that it is for an increase in the Pay-Per-Call program. He stated that there have been more calls due to the emergencies and various storms throughout the year.

Councilor Castelle moved the following:

CERTIFICATION:

In accordance with Section 808 of the Town Charter, I hereby certify that there exists, free from encumbrances, in the following appropriations in the General Fund, the amounts listed below:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
190	General Services	\$24,000
270	Emergency Medical Services	\$5,000
320	Highway Department	\$10,000
350	Solid Waste	\$90,000
610	Human Services	\$15,000
710	Library Operations	\$15,000
830	Grounds Maintenance	\$15,000
1010	Debt Service Interest	\$11,000
962	Town Council Contingency	\$49,300
	Total	\$234,300

Ann J. Harter, Director of Finance

RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in the General Fund to the following accounts in the General Fund:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
120	Town Manager	\$28,000
140	Elections	\$27,000
150	Finance	\$16,000
160	Town Attorney	\$50,000
170	Town Clerk	\$3,000
180	Personnel	\$16,000
230	Fire Department	\$39,500
310	Engineering	\$5,000
450	Building Department	\$3,500
460	Conservation Commission	\$5,300
470	Economic Development	\$15,000
	Total	\$208,300

BE IT FURTHER RESOLVED:

That the Newington Town Council hereby transfers the above-certified funds in General Fund to the following account in Capital and Non-Recurring Expenditure Fund:

<u>Account Number</u>	<u>Title</u>	<u>Amount</u>
88323	Fire Department Access Control Locks	\$26,000

BE IT FURTHER RESOLVED:

That the Town Manager is authorized to make additional transfers from unencumbered balance of appropriations within the General Fund to the Administrative, Municipal and Police Pension Trust Funds.

Motion seconded by Councilor Cohen.

Councilor Klett requested an explanation of each of the departmental transfers. Town Manager Salomone reviewed the following:

- 120 Town Manager: to fund a part-time clerical position, shared with the BOE, that was added last summer.
- 140 Elections: to fund an additional primary.
- 150 Finance: to adjust the local Elderly Tax relief program to increased participation.
- 160 Town Attorney: to fund past and anticipated legal costs, mostly associated with the Toll Brothers and Firestone cases, where external legal counsel has been utilized.
- 170 Town Clerk: to fund part-time salary increases not originally included in the budget.
- 180 Personnel: to fund advertising for various personnel vacancies and police and non-police recruitment and testing costs.
- 230 Fire Department: to fund additional Pay-Per-Call costs and an increase in volunteers.
- 310 Engineering: to fund administrative wage increases.
- 450 Building Department: to fund administrative wage increases.
- 470 Economic Development: to fund the difference budgeted for the Economic Development Director.

Councilor Klett inquired whether the transfer for the outside attorney will cover the costs associated with the Firestone case. Town Manager Salomone replied that it will be sufficient for the remainder of the fiscal year. Councilor Klett asked why outside counsel is being used for this case. Town Attorney Peter Boorman replied that this is an extension of the Modern Tire appeal regarding TPZ zoning regulations. He stated that the same attorney will be used for both since his expertise ties into both cases.

Roll Call Vote

Councilor Borjeson – yes
Councilor Bottalico – yes
Councilor Castelle – yes
Councilor Cohen – yes
Councilor DelBuono – yes
Councilor Klett – yes
Councilor McBride – absent
Councilor Nagel – yes
Mayor Woods - yes

Motion passed 8-0 (Councilor McBride Absent)

B. Suspense List

Councilor Cohen moved the following:

RESOLVED:

The Newington Town Council hereby authorizes transfers in the amount of \$109,566.14 to the Suspense Tax Book for the years 2010-2011 through 2011-2012. This action is being taken upon the recommendation of the Revenue Collector and as shown in a report dated May 8, 2013.

Motion seconded by Councilor Borjeson.

Councilor Klett indicated that she did not have a copy of the list for review.

Motion passed 7-0 (Councilor Klett abstained, Councilor McBride absent)

Councilor Cohen moved the following:

RESOLVED:

The Newington Town Council hereby authorizes the outstanding balance from the 1997 Grand List in the amount of \$6,669.16 be removed from the Town's receivable assets as of June 30, 2013 as per the recommendation of the Revenue Collector.

Motion seconded by Councilor Borjeson. Motion passed 7-0 (Councilor Klett abstained, Councilor McBride absent)

C. Appointment of Auditor

Councilor Castelle moved the following:

RESOLVED:

Per Section 610 of the Newington Town Charter, the firm of Blum Shapiro is hereby appointed as auditor for the Town of Newington for the fiscal year ending June 30, 2013; said firm agrees to file a complete report on or before December 15, 2013.

Motion seconded by Councilor Cohen. Motion passed 8-0 (Councilor McBride Absent)

VI. CONSIDERATION OF NEW BUSINESS

A. Blight Update

Town Manager Salomone and Executive Assistant Jaime Trevethan reviewed the blight complaint intake and enforcement process. Mrs. Trevethan explained that all complaints route through the Town Managers office where a file is opened, reviewed by the Police and Human Services Departments and then referred to the Blight Enforcement Officer for inspection. In the event that a property meets the blighted condition the property owner is first issued a written warning via certified mail, and then possibly enforcement if the condition isn't rectified in the warning phase. She noted that enforcement can be difficult in the event of an abandoned or bank-owned property. She indicated that residents are encouraged to call the Town Manager's office with any concerns about blighted properties in their neighborhood; complaints may be made anonymously and the Town does inspect all complaints. Mrs. Trevethan noted, however, that there is a due process, including an appeals process, for blighted properties, as per Town Code of Ordinances Chapter 182, Blighted Premises Code. Mrs. Trevethan presented the Council with statistics related to blight complaints as of May 28, 2013:

Closed complaints – 15

Open Complaints – 26

- Received since May 16, 2013 - 10
- Awaiting initial inspection – 4
- Not currently blight/future monitoring required – 5
- Currently meet blighted criteria – 17

Properties that currently meet blighted criteria - 17

- All have received (or will shortly receive) Notice of Violation Warning Letter
- Properties known to be vacant and/or bank-owned – 5
- Properties with steps taken to rectify – 7
- Properties known to have been recently sold or transferred – 2

She outlined possible enforcement of properties not rectified as a result of the warning phase, including:

- Enforcement by Citation
- Remediation by the Town, liens on property
- Injunctive proceedings in Superior Court
- Property may be placed on a Blighted Premises List, to be submitted to the Town Council at least annually

Councilor DelBuono noted that a resident had come to her last year and this year with concerns about a property and appreciated that the Town had followed up and ultimately the problem was resolved. Councilor Borjeson thanked staff for the well-organized process and noted that there have been situations in which there have been false blight reports which were actually neighbor disputes.

Town Manager Salomone noted that vacant or bank-owned properties are the most difficult to enforce and in some cases the Town may have to remediate the problem and lien the property. He stated that the overall turnover of complaints has been positive.

Councilor Klett inquired about the blighted vacant foundry on Boulevard. She also asked to receive a list of properties on the blighted list for future discussion. Mrs. Trevethan replied that addresses of properties in the warning phase of the process are not disclosed in order to give the property owners a chance to rectify the blighted condition before enforcement is taken. She said that properties that proceed to the enforcement phase will be reported to the Council in the future. Town Manager Salomone stated that the Boulevard property is a commercial property and is being handled separately than the properties discussed this evening. He stated that it is a complex issue and may result in legal action.

Councilor Castelle thanked Mrs. Trevethan for the report and noted an increase in foreclosure registrations as indicated in the Town Manager's report. Councilor Nagel inquired about how to report problems with unregistered or commercial vehicles on private property. Mrs. Trevethan replied that junk, unregistered or commercial vehicles may fall under zoning ordinances rather than the blight ordinance but explained that the Blight Enforcement Officer is also the Zoning Enforcement Officer and would handle any vehicle complaints. Therefore residents are welcome to call the Town Manager's Office with concerns, and the staff will best determine how to enforce the violation.

Councilor Klett noted that the process of revising the blight ordinance was a difficult one and thanked the Blight Subcommittee and Town Attorney Boorman for their hard work on the ordinance.

A. Discussion: Agreement Between Newington and New Britain re: Land Acquisition

Town Attorney Peter Boorman discussed a potential development project in the City of New Britain (City) to build a COSTCO store; however, due to land issues with the Stanley Golf Course, the City is seeking to purchase approximately 15.5 acres of State-owned land located in the Town of Newington. He stated that this project has been in the works for some time, but it is at the point where he feels it is important to bring the item before the Council for discussion.

Atty. Boorman noted a bill, currently in the CT General Assembly (House Bill – 6672, "An Act Concerning the Conveyance of Certain Parcels of State Land"), which will give the State DOT the authority to transfer the property. He stated that this is in the spirit of cooperation between the two towns, to work with the City to foster economic development while also benefitting Newington. He indicated that if the Council concurs, it will authorize the Town Manager to enter into an agreement between Newington and New Britain to cooperate in the City's effort to obtain the property. He stated that in consideration of the Town not opposing the House Bill, the City will agree to the following:

- The 15.5 acres will remain subject to Newington land-use regulations
- The City will pay property taxes to the Town as determined by the Assessor, subject to all of the usual taxpayer rights

- Town residents will be charged at the same rate of City residents for use of the Stanley Golf Course

Attorney Boorman stated that while no timeframe has been established, these benefits may take place before the completion of the COSTCO property.

Councilor Klett inquired as to whom in the legislature introduced the bill. Atty. Boorman explained that an individual bill was originally introduced by all of New Britain's Representatives; however, as part of the inner workings of the Legislature, the separate bill was set aside and was incorporated into an omnibus bill along with several non-related issues. He indicated that he is not privy to the inner workings of how the bill was integrated into the larger bill. Councilor Klett remarked that it shows great disrespect to the community that someone would submit a bill regarding Town property without alerting the Town. She also noted that she had been criticized for speaking at a public meeting in New Britain in the past about allowing Newington residents the New Britain resident rate at the golf course and stated that she is pleased to see this as part of the agreement. Mayor Woods stated that Rep. Lopes informed him about the bill as soon as he knew it would move forward and indicated that the bill does not change the arrangement between the two towns, which had been discussed prior to the proposed legislation. He stated that the bill was put in place to expedite the land transfer process in order to retain the COSTCO development.

Councilor Castelle inquired about the estimated tax revenue to the Town on the 15.5 acres. Attorney Boorman stated that there is no way to estimate the revenue at this time, due to the fact that an exact layout of the land has not yet been determined. Councilor Castelle inquired whether the Town will receive any revenue from the State regarding the land. Attorney Boorman replied in the negative. Councilor DelBuono stated that while she didn't agree with Councilor Klett's actions in New Britain; in hindsight it worked out well.

Attorney Boorman indicated that this item will be on the next Council agenda for approval. Mayor Woods inquired whether the Town or City will sign the agreement first. Atty. Boorman replied that the Town will sign the agreement and then forward to the City for approval.

VII. RESIGNATIONS/APPOINTMENTS

Councilor Borjeson moved the following appointment:

Employee Insurance and Pension Benefits Committee

Name	Address	Party	Term	Replaces
Specialist: John Slusarski	40 Grandview Drive	D	Immed. – 11/30/14	Vacant

Motion seconded by Councilor Bottalico. Motion passed 8-0 (Councilor McBride absent)

Councilor DelBuono moved the following appointment:

Library Board of Directors

Name	Address	Party	Term	Replaces
Ellen Vessella	31 Northwood Drive	R	IMMED – 11/30/13	S. Wright (resigned)

Motion seconded by Councilor Nagel. Motion passed 8-0 (Councilor McBride absent)

Councilor Borjeson moved the following appointment:

Standing Insurance Committee

Name	Address	Party	Term	Replaces
Claim Spec:	40 Grandview Drive	D	Immed. –	Mike Longo

John Slusarski		11/30/14	(term exp. 11/30/10)
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Councilor Castelle thanked Mr. Slusarski and all residents who serve on Town boards and committees.

Motion seconded by Councilor Bottalico. Motion passed 8-0 (Councilor McBride absent)

VIII. TAX REFUNDS

Councilor DelBuono moved the following:

RESOLVED:

That property tax refunds in the amount of \$4,927.49 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

Motion seconded by Councilor Bottalico. Motion passed 8-0 (Councilor McBride absent)

IX. MINUTES OF PREVIOUS

A. May 14, 2013 Regular Meeting

Councilor Castelle moved to accept the minutes as submitted. Motion seconded by Councilor Nagel. Motion passed 7-0 (Councilor DelBuono abstained, Councilor McBride absent)

X. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC - none

XI. COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Castelle reported that the Library Board of Directors is pleased with the promotion of Lisa Masten, former Assistant Director to the Library Director position. Mrs. Masten had served as Acting Director/Temporary Acting Director several times.

Councilor Borjeson indicated that CRCOG will offer a workshop as a follow-up to the December 2012 Transit-Oriented Development workshop on June 5 at the Lyceum in Hartford. He stated that invitations will be sent to those who attended the December workshop, but that anyone on the Council or in the community is welcome to attend.

XII. PUBLIC PARTICIPATION – IN GENERAL

Rose Lyons, 46 Elton Drive: Ms. Lyons said that she learned about the New Britain land acquisition item the evening that Councilor Klett spoke in New Britain at a televised meeting. She stated that more information needs to be shared across the table. She inquired whether there is anyone in Town who follows the bills and items that pass through the Legislature. She also inquired about who will be responsible for services to veterans that reside at the Victory Gardens housing. Ms. Lyons remarked that she is glad to see the former Gulf gas station property being cleaned up and reiterated that she would like more information shared and more talk across the table.

XIII. REMARKS BY COUNCILORS

Councilor Bottalico stated disappointment that legislation he and Councilor Klett proposed requiring utility companies to notify the Town's Human Services office of any shutoffs did not pass or move forward at the State level. He noted that both he and Councilor Klett had reached out to Rep. Nafis and Senator Doyle and inquired about whether anything can be done at the Town level.

Councilor Klett stated that while she didn't feel like she was "crucified" for her past comments in New Britain, she felt that there were some Councilors who believed that she was trying to speak for the entire Council and stated that it was never her intent to do so. Councilor Klett also stated that she and

Councilor Bottalico had appealed to the Legislature to pass a bill that would provide for a mechanism of notification to the Town for any utility shutoff. She remarked that it was a bill that could have potentially saved lives and expressed disappointment that the Legislature didn't take the request seriously. She stated that she would like to try again.

Councilor Bottalico recalled that the fire on Vineyard Avenue happened prior to April 15, 2012 and noted that Northeast Utilities supposedly will not shut off utilities to a home prior to April 15. He inquired whether the Town can take any legal action against Northeast Utilities for doing so. Town Manager Salomone replied that he doesn't believe so; any action would be a civil suit would be between the family and the utility company and stated that the Town does not have jurisdiction over the utilities. Councilor Bottalico indicated that per the firefighters at the scene all of the utilities had been shut off at the home prior to the fire.

Town Manager Salomone indicated that Newington is a member of various regional agencies, CRCOG, COST and CCM, that follow and track legislation that will affect the Town.

Councilor DelBuono stated that at the time Councilor Klett made the comments at the New Britain issue it was still a New Britain issue, as it was up to the City to approve the COSTCO development. She stated that in her recollection it was not a Newington issue at that time and only became a Newington issue when the land component of the project came up. Councilor DelBuono also addressed Ms. Lyons' comments regarding Mr. DelBouno's comments. Councilor DelBuono remarked that Mr. DelBuono is her husband and that it is Ms. Lyons who keeps bringing up the comments; to her knowledge no one on the Council has brought up these comments since they are her husband's comments, not her own. She stated that this keeps giving his comments life that they otherwise would not have had and noted that the comments were made on November 13, 2012, more than six months ago. Councilor DelBuono applauded any member of the public who comes forward to speak to the Council and who brings problems or information to the Council's attention.

Councilor Nagel noted several recent events around the Town: the Senior and Disabled Center Volunteer dinner, NHS Scholar Breakfast, Memorial Day parade and ceremony, the Economic Development breakfast and Historical Society presentation. Councilor Borjeson agreed with Councilor Nagel and thanked all who were involved in the Memorial Day parade and ceremony. Councilor Klett thanked the Governor and Lt. Governor for participation in the Newington and other area parades. She also noted the people who participated and attended the parade, in the rain, to honor the veterans. Councilor Cohen also thanked the participants and public who attended the parade and ceremony.

Mayor Woods also thanked those who participated in the parade and ceremony and noted that the Grand Marshal will always be those who died in service. He remarked that it was a privilege to be involved in the parade. He also noted that the High School band, orchestra and choir concerts are coming up and praised the quality of the students' performances. Mayor Woods also noted that the High School pit orchestra has been nominated for a Halo Award.

Mayor Woods remarked that he believes the person at the root of the New Britain controversy last year was former Mayor Stewart, who wanted this project to be his legacy.

XIV. ADJOURNMENT

Councilor Bottalico moved to adjourn the meeting at 8:35 p.m. and the motion was seconded by Councilor Nagel. The motion passed 8 – 0 (Councilor McBride, absent),

Respectfully Submitted,

Jaime Trevethan
Executive Assistant to the Town Manager